

SENATE BILL 2171

By Harper

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 4, Part 1, relative to cosmetologists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-4-110(c), is amended by deleting the language "in a school" and the language "in instructor training" and by substituting instead the language "in a cosmetology school" and the language "in cosmetology instructor training" as is appropriate.

SECTION 2. Tennessee Code Annotated, Section 62-4-110, is amended by adding a new subsection thereto, as follows:

( ) Any person who desires a license to instruct only in a school of manicure shall submit an application for examination to the board on the prescribed form. The application shall be accompanied by:

(1) A non-refundable, non-transferable application/examination fee as set by the board; and

(2) Satisfactory proof that the applicant:

(A) Is a high school graduate, evidenced by a certificate or diploma, or a general equivalency diploma (GED);

(B) Holds a valid manicurist's license issued by the board; and

(C) Has completed and passed a board-approved course in manicure instructor training of at least three hundred (300) hours within a period of six (6) months as an instructor trainee, or has served as a junior instructor for a minimum of one (1) year.

SECTION 3. Tennessee Code Annotated, Section 62-4-114(a)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

To maintain an active cosmetology instructor's license, a cosmetology instructor shall every two (2) years submit to the board satisfactory proof that the instructor has attended a board-approved instructor training program in cosmetology for a minimum of sixteen (16) hours. Persons obtaining an initial cosmetology instructor's license shall attend a board-approved instructor training program in cosmetology after receiving such licenses.

SECTION 4. Tennessee Code Annotated, Section 62-4-114(a), is further amended by adding the following language as new subdivision (2) and by relettering the existing subdivision (2) and subsequent subdivisions accordingly:

(2) To maintain an active manicure instructor's license, a manicure instructor shall every two (2) years submit to the board satisfactory proof that the manicure instructor has attended a board-approved instructor training program in manicure for a minimum of sixteen (16) hours. Persons obtaining an initial manicure instructor's license shall attend a board-approved manicure instructor training program in manicure after receiving such licenses.

SECTION 5. Tennessee Code Annotated, Section 62-4-114, is amended by adding a new subsection thereto, as follows:

( ) Any person who holds a valid active license as a manicure instructor may engage in the practice of manicure under such license. However, no instructor may

render manicure services in a school, except such services as are directly incidental to the instruction of students.

SECTION 6. Tennessee Code Annotated, Section 62-4-114(d), is amended by deleting the language "obtain a cosmetologist's license from the board" and by substituting instead the language "renew such person's cosmetologist's license or license to practice manicuring".

SECTION 7. Tennessee Code Annotated, Section 62-4-122(b) is amended by deleting the words "licensed instructor" and by substituting instead the words "licensed cosmetology instructor".

SECTION 8. Tennessee Code Annotated, Section 62-4-122, is amended by adding the following language as a new subdivision (c) and by relettering the existing subdivision (c) and subsequent subdivisions accordingly:

(c) There shall be at least one (1) licensed manicure instructor on the premises whenever a manicure school, or a public high school or a state vocational technical school offering only manicure courses, is in operation.

SECTION 9. Tennessee Code Annotated, Title 62, Chapter 4, Part 1, is amended by adding a new section thereto, as follows:

Section \_\_\_\_.

(a) No teaching of manicuring, whether to students or licensees, is lawful except in a duly operated cosmetology or manicure school. Schools of manicuring shall be required to have a managing manicurist who is a licensed manicure instructor and is a licensed instructor in cosmetology. A licensed manicure instructor shall be a licensed manicurist and shall have successfully completed at least three hundred (300) hours of board-approved manicure instructor coursework.

(b) Notwithstanding any provision of law to the contrary, no school of manicuring shall be required to be conducted within or adjacent to a school of cosmetology.

(c) No school of cosmetology may offer the teaching of manicuring unless such school has a managing manicurist who is a licensed instructor in manicuring and is a licensed instructor in cosmetology.

SECTION 10. Tennessee Code Annotated, Section 62-4-102(a)(5), is amended by deleting subdivisions (A) and (B) in their entirety and by substituting instead the following:

(A) "Instructor" means a cosmetology instructor or a manicure instructor;

(B) "Instructor trainee" means any person who holds a valid cosmetologist's license or a manicurist's license issued by the board and who is engaged in a board-approved course in cosmetology instructor training or manicure instructor training of at least three hundred (300) hours to be completed within a period of six (6) months, which course includes practice teaching in a school of cosmetology or a manicure school under the personal supervision of a licensed cosmetology instructor or manicure instructor, as appropriate;

(C) "Junior instructor" means any person who holds a valid cosmetologist's license or a manicurist's license issued by the board who is engaged in a course of training in practice teaching in a school of cosmetology or a manicure school under the personal supervision of a licensed cosmetologist instructor or licensed manicure instructor, as appropriate, for a period of time not to exceed three (3) years;

SECTION 11. Tennessee Code Annotated, Section 62-4-102(a), is amended by deleting subdivision (14) in its entirety and by substituting instead the following:

(14) "School" means a school of cosmetology or a manicure school.

SECTION 12. Tennessee Code Annotated, Section 62-4-102(a), is amended by deleting subdivision (18) in its entirety and by substituting instead the following:

(18) "Student" means any person who is engaged in learning, performing or assisting in any of the practices of cosmetology under the immediate supervision of a cosmetology instructor or the practices of manicuring under the immediate supervision of a manicure instructor. However, for the purposes of this chapter neither instructor trainees nor junior instructors shall be considered as students.

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.